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 PATENT
 Docket No. 293.00010102

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Emery et al.) Group Art Unit: 1654
)
 Serial No.: 10/749,602) Examiner: Patricia A. Leith
 Confirmation No.: 8548)
)
 Filed: December 31, 2003)
)
 For: **IN OVO DELIVERY OF AN IMMUNOGEN CONTAINING IMPLANT**

FACSIMILE TRANSMISSION TO THE PTO

Commissioner for Patents
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X Response to Notice of Incomplete Reply (Nonprovisional) - (2 pgs); copy of an executed Combined Declaration and Power of Attorney (4 pgs); and copy of the Notice of Incomplete Reply (Nonprovisional) - (1 pg).

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Date

Aug 10, 2004

Mueting, Raasch & Gebhardt, P.A.
 Customer Number: 26813

By: David L. Provence

David L. Provence

Reg. No. 43,022

Direct Dial (612)305-1005

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Date

Aug 10, 2004

Signature: David L. Provence

Name: David L. Provence

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Emery et al.)	Group Art Unit:	1654
Serial No.: 10/749,602)	Examiner:	Patricia A. Leith
Confirmation No.: 8548)		
Filed: December 31, 2003)		
For: IN OVO DELIVERY OF AN IMMUNOGEN CONTAINING IMPLANT)		

RESPONSE TO NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the "Notice of Incomplete Reply (Nonprovisional)," mailed August 4, 2004, enclosed is a copy of an executed Combined Declaration and Power of Attorney by the named inventors. It is believed that no fee is due as Applicants have already paid the missing parts surcharge with the response filed on June 25, 2004. However, if a fee is due, please charge it to PTO Deposit Account No. 13-4895.

Response to Notice of Incomplete Reply (Nonprovisional)***Page 2 of 2******Applicant(s): Emery et al.******Serial No.: 10/749,602******Confirmation No.: 8548******Filed: December 31, 2003******For: IN OVO DELIVERY OF AN IMMUNOGEN CONTAINING IMPLANT***

The application should now be in condition for examination. Please direct any inquiries to the undersigned attorney.

CERTIFICATE UNDER 37 C.F.R. 1.8:

The undersigned hereby certifies that this paper is being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office, addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 10 day of **AUGUST, 2004**, at 9:05 (Central Time).

Name: David L. Provence

Respectfully submitted for

Emery et al.

By

Mueting, Raasch & Gebhardt, P.A.
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Customer Number 26813

Aug 10, 2004
Date ✓

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/749,602	12/31/2003	Daryll A. Emery	293.00010102

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CONFIRMATION NO. 8548
FORMALITIES LETTER



OC000000013436708

Date Mailed: 08/04/2004

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 06/25/2004 to the Notice to File Missing Parts (Notice) mailed 04/30/2004 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application. Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

- The oath or declaration is unsigned.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
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A copy of this notice MUST be returned with the reply.

Jenks

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE